

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
CONCERNING
HEALTH CARE FOR MILITARY MEMBERS AND THEIR DEPENDENTS**

SECTION I

INTRODUCTION

1. The Government of the United States of America, represented by the Assistant Secretary of Defense for Health Affairs, and the Government of the United Kingdom of Great Britain and Northern Ireland, represented by the Surgeon General (hereinafter referred to as the "Participants"), have jointly approved the arrangements to conclude this Memorandum of Understanding concerning health care for military members and their dependents.

2. This Memorandum of Understanding applies to military members of the two countries who are stationed in each other's country, and their accompanying dependents; also to military members visiting on official business at the invitation of the receiving government.

SECTION II

REFERENCES

1. The agreement between the States Parties to the North Atlantic Treaty regarding the Status of their Forces, done at London on 19 June 1951, known as the NATO SOFA.

2. The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989, The National Health Service (Charges to Overseas Visitors) Amendment Regulations 1991, and the National Health Service (Charges to Overseas Visitors) Amendment Regulations 1994.

3. Section 2549, title 10, United States Code, "Provision of medical care to foreign military and diplomatic personnel: reimbursement required; waiver for provision of reciprocal services."

4. United States Department of Defense Instruction 6015.23, December 9, 1996, Delivery of Healthcare at Military Treatment Facilities (MTFs).

SECTION III

DEFINITIONS

1. **Dependent:** The spouse or child of a military member, who is dependant on that military member, as defined in the regulations of the military member's Government.
2. **Administrative surcharge:** A per diem charge for administrative expenses in connection with inpatient care in a military treatment facility.
3. **Supplemental care:** Medically indicated health care provided to military personnel (and in very limited circumstances to other beneficiaries) in the United States by a non-military agency, facility, or practitioner. Use of supplemental care must be in accordance with United States Department of Defense policy.
4. **National Health Service (NHS).** UK Government health care scheme covering primary medical and dental care provided through General Medical and Dental Practitioners, and secondary care provided through NHS Hospitals. NHS medical care is without charge for UK residents and eligible visitors, except where charging is specifically provided for in NHS legislation. NHS dental care is subject to a variable charge depending on treatment. The NHS requires UK military personnel and dependants using the Service to pay these standard NHS charges, subject to nationally exempt categories.
5. **Ministry of Defense Armed Forces medical and dental facilities.** Primary medical and primary dental care centers of the Royal Navy, Army, and Royal Air Force Medical Services and Defense Dental Services. Secondary care Service Hospitals and Ministry of Defense Hospital Units in NHS hospitals.

SECTION IV

GENERAL

1. Under the references in Section II of this Memorandum, the Participants have determined that in return for medical care the Department of Defense provides in the United States without cost to military personnel and their dependents from the United Kingdom, the United Kingdom will make available comparable care to comparable numbers of United States military personnel and their dependents in the United Kingdom to include the Channel Islands and the Isle of Man.
2. Requirements for identification and proof of eligibility by persons requesting health care under this Memorandum of Understanding shall be as prescribed by the Participant furnishing the care.
3. The Military Departments of the United States Department of Defense will make available the health care specified in this Memorandum of Understanding, subject to applicable laws and regulations and the availability of funds.
4. The medical and dental services of the UK Ministry of Defense will make available at its units the health care specified in this Memorandum of Understanding subject to the

availability of capacity. Health care in NHS facilities will be provided subject to applicable regulations.

SECTION V

HEALTH CARE TO BE MADE AVAILABLE BY THE UNITED STATES

The United States Department of Defense will make available:

a. For United Kingdom military members, outpatient and inpatient care in Department of Defense medical and dental facilities in the United States, including supplemental care, without cost (except for an administrative surcharge, if applicable to its own personnel).

b. For dependents:

(1) Outpatient and inpatient medical care in Department of Defense medical facilities in the United States, including supplemental care, without cost (except for an administrative surcharge, if applicable to dependents of its own members), and

(2) Dental care in Department of Defense medical and dental facilities in the United States, without cost, to the same extent that such care is made available to dependents of United States military members.

SECTION VI

HEALTH CARE TO BE MADE AVAILABLE BY THE UNITED KINGDOM

The United Kingdom will make available, in the United Kingdom:

a. For United States military members:

(1) Medical and dental outpatient and inpatient care, without charge, in Ministry of Defense Armed Forces medical and dental facilities.

(2) When care is not available from Ministry of Defense Armed Forces medical and dental facilities, it will be provided through the NHS as authorized under the documents referenced in paragraphs 1 and 2, Section II of this Memorandum of Understanding. This will be without cost except for standard NHS prescription, dental, and specially negotiated care charges.

b. For dependents:

(1) Medical and dental outpatient and inpatient care in Ministry of Defense Armed Forces medical and dental facilities on the same basis and to the same extent as is provided for dependents of United Kingdom military members. This will be without cost except for prescription, dental and other standard charges applicable to dependants of UK military members.

(2) When care is not available from Ministry of Defense Armed Forces medical and dental facilities, it will be provided through the NHS as authorized under the documents

referenced in paragraphs 1 and 2, Section II of this Memorandum of Understanding. This will be without cost except for standard NHS prescription, dental, and specially negotiated care charges.

SECTION VII

DISPUTE RESOLUTION

Any dispute regarding the interpretation or application of this Memorandum of Understanding will be resolved by consultation between the Participants and will not be referred to any national or international tribunal or third party for settlement.

SECTION VIII

TERMS

1. This Memorandum of Understanding will be effective three months after the date of last signature and will remain in effect for five years unless sooner terminated by either Participant by giving at least three months written notice to the other Participant.

2. This Memorandum of Understanding may be amended at any time, in writing, by the mutual consent of the Participants.

The foregoing represents the understandings reached between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America upon the matters referred to therein.

For the Department of Defense
of the United States of America

William W. Henshaw, Jr. MD.
Assistant Secretary of Defense
for Health Affairs

at Washington, D.C.
on 28 June, 2004

For the Secretary of State for Defense
of the Government of the United Kingdom
of Great Britain and Northern Ireland

Admiral Sir John D. S. ...
Head of British Defense Staff (Washington)
And Defense Attaché

at British Embassy Washington D.C.
on 14 July, 2004